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Application No. 09/852,033

Docket No. 031884-1000

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REMARKS

The final Office Action of December 10, 2003 and Advisory Action of June 23, 04 have been received and carefully reviewed. Accordingly, the Applicants have amended claims 1 and 19 to further define the invention as discussed and agreed upon during the telephone interview of June 21, 2004, and claims 13, 24, 34, 45 and 46-70 have been cancelled without prejudice or disclaimer. Claims 1-12, 14-23 and 25-33 remain pending. Applicant respectfully submits that no new matter has been introduced in this Amendment. Reconsideration and allowance of the claims in view of the amendments above and the remarks that follow is respectfully requested.

In the final Official Action, the Examiner rejected claims 1-33 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,317,260 to Kasten et al (hereinafter "Kasten"). Applicant again respectfully traverses the Examiner's interpretation of "Kasten".

With reference to the related case Serial No. 10/325,742, a divisional of the instant application, the Examiner had made several recommendations to place that case in condition for allowance, and has recently indeed allowed that case. Consistent with those prior recommendations, the current Advisory Action and the telephone interview of June 21st, the Applicant has amended claims 1 and 19 in a manner consistent with those recommendations.

As previously noted by the Applicant and agreed-to by the Examiner, Kasten fails to describe any dynamic, interactive and non-standard RF pulse sequence formation. Instead, all data entry, whether by user input or mouse, in Kasten creates at best concatenational combinations of standard sequences. In other words, Kasten represents a "canned" approach to magnetic image sequencing formation, readily distinguishable from the dynamic implementation of the present invention.

Claims 1 and 19 have been amended to better describe the dynamic interativeness of the instant invention over the prior art, including the Kasten reference cited and applied in the Office Action, along with other newer references, such as Patent Application Publication Nos. 20020060566 and 20030002631, and U.S. Patent No. 6,484,048 mentioned during the interview by the Examiner in connection with the divisional case. Applicant has also reviewed the various references cited but not applied in the instant Office Action and respectfully submits that all of these newly-cited references are not relevant to the instant invention, or are obviated, as discussed below.

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Particularly, on May 3, 2004, the U.S. Patent & Trademark Office granted Applicant's Petition, of February 10, 2004, to indicate the appropriate priority of the instant non-provisional application to the U.S. Provisional Patent Serial No. 60/201,326, filed on May 11, 2000, thereby pre-dating the earliest priority date of the two aforementioned Patent Application Publication documents. Therefore, the Applicant respectfully submits that all of the references brought to Applicant's attention by the Examiner are either irrelevant to the instantly claimed invention or have been rendered moot by the granting of the Petition. The provisional filing date is reflected in the Corrected Filing Receipt, and this date is also noted in the amendment to the specification submitted herewith.

In view of the above claim amendments and the proper indication of priority, Applicant respectfully requests that the Examiner reconsider and withdraw the § 102(b) rejection of the claims 1-33 over Kasten.

Having responded to the rejection set forth in the outstanding Office Action, it is submitted that claims are in condition for allowance. An early and favorable Notice of Allowance is respectfully solicited. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, the Examiner is courteously requested to contact Applicant's undersigned representative.

Respectfully submitted,



Raymond Van Dyke

Registration No.: 34,746

Nixon Peabody LLP
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004
Tel: (202) 585-8250
Fax: (202) 585-8080

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